IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

SATURDAY, THE 18TH AUGUST 2007 / 27TH SRAVANA 1929

WP(C).No. 11413 of 2007(H)

PETITIONER:

MATHAI SAMUEL, CHATHEL PUTHENPURAYIL,
THAYOOR, BHUDHANOOR POST, CHENGANNUR.

BY ADV. SRI.S.MUHAMMED HANEEFF

RESPONDENTS:
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1. THE ASSISTANT EXECUTIVE ENGINEER,
ELECTRICAL SUB DIVISION, KSEB, KOLLAKADAVU.

2. THE EXECUTIVE ENGINEER, KSEB,
CHENGANNUR.

3. THE ADDITIONAL DISTRICT MAGISTRATE,
ALAPUZHA.

4. DISTRICT COLLECTOR, ALAPPUZHA.

5. PHILOMINA JOHN, CHATHEL,
BHUDHANOOR POST, CHENGANNUR.

R1&2 BY ADV. SRI.C.K.KARUNAKARAN, SC FOR KSEB
R3&4 BY G.P. SRI.C.K.GOVINDAN

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 18/08/2007, ALONG WITH WPC NO. 13316 OF 2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

C.N.RAMACHANDRAN NAIR, J.

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W.P.(C) Nos.11413 & 13316 of 2007

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Dated this the 18th day of August, 2007.

JUDGMENT

Heard counsel for the petitioner and Standing Counsel for KSEB. The petitioner is challenging Ext.P4 order produced in W.P. 11316/2007 whereunder the ADM has approved drawal of electric line from an electric post standing in petitioner's property to the beneficiary's property for giving connection to him. It is seen from Ext.R1(a) sketch produced by the KSEB that the properties of the petitioner and the beneficiary are adjoining properties and as of now, there is one electric post standing in petitioner's property from which petitioner is given connection. The property of the beneficiary is adjacent to petitioner's property and obviously the nearest post from which connection can be given to the beneficiary is the post standing in petitioner's property at the place marked "A". The line approved is a weatherproof cable of 25 metres which is obviously insulated and hence totally benign. The alternate route suggested by the petitioner involves installation of two electric posts and drawal of overhead line which is very expensive and require the concurrence of other land owners. In the circumstances, these W.Ps. are dismissed upholding the order of the ADM.

The KSEB is directed to give connection to the beneficiary without any delay.

C.N.RAMACHANDRAN NAIR
Judge

pms